

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY BOARD OF REAL
ESTATE APPRAISERS

IN THE MATTER OF THE LICENSE OF :
: Administrative Action
SHOHREH ABRARI-VENOUSS :
License # 42RA00367000 : FINAL ORDER
: OF DISCIPLINE
TO ENGAGE IN THE PRACTICE OF :
REAL ESTATE APPRAISING IN :
THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey Board of Real Estate Appraisers (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

1. Shohreh Abrari-Venouss ("Respondent") is a State Licensed Real Estate Appraiser in the State of New Jersey and has been a licensee at all times relevant hereto.

2. Pursuant to N.J.S.A. 45:14F-18 and N.J.A.C. 13:40A-5.3, all licensed and certified real estate appraisers are required to complete all continuing education requirements established by "The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria" promulgated by the Appraisal Qualifications Board of the Appraisal Foundation (the "AOB"). The AOB requirements are incorporated by reference in

the Board's regulations. For the two year period between January 1, 2010 and December 31, 2011, the AQB Qualification Criteria mandated that appraisers complete a minimum of twenty-eight (28) class hours of approved continuing education.

3. Pursuant to N.J.A.C. 13:40A-5.4, all licensed and certified appraisers are required to complete a seven hour National Update Course on the Uniform Standards of Professional Appraisal Practice ("USPAP"), or its equivalent, at least once every 24 months. The AQB Qualification Criteria similarly mandate that appraisers must successfully complete the seven hour USPAP Update Course, or its equivalent, every two calendar years.

4. Pursuant to N.J.A.C. 13:40A-5.8, licensees or certificate holders are required to maintain documentation for at least four years of continuing education hours completed in order to verify program attendance and/or activity completion.

5. On or about December 2, 2011, Respondent completed and submitted an online biennial license renewal form, for the period January 1, 2012 through December 31, 2013, and Respondent's license was then renewed through December 31, 2013.

6. Respondent was asked on the biennial renewal application whether Respondent "completed the continuing

education requirement during the past two years," referring to the biennial renewal period of January 1, 2010 through December 31, 2011. The renewal application included specific instructions regarding this question, which read:

As a condition of renewal, licensees are required to obtain at least 28 credit hours of approved continuing education for each biennial renewal period subsequent to licensure/certification or 14 hours of continuing education if initially licensed or certified in the first six months of the second year. If initially licensed or certified during the last six months of the second year, no continuing education is required. If you are exempt from this requirement for this renewal period only, please answer "yes" to this question. Credits may not be carried over to another renewal period.

Respondent answered "No" to the question.

7. Respondent was asked on the biennial renewal form whether Respondent successfully completed the seven hour National USPAP Update Course, or its equivalent, during the past two years, referring to the biennial period of January 1, 2010 through December 31, 2011. The renewal application included specific instructions regarding this question, which read:

As a condition of renewal, licensees must successfully complete the seven-hour National USPAP Update Course, or its equivalent, at a minimum of every two years. Equivalency shall be determined through the AQB Course Approval Program or by an alternate method established by the AQB.

Respondent answered "No" to this question.

8. Respondent certified, when submitting the renewal application, that all of the information on the renewal form was true and complete to the best of Respondent's knowledge, and acknowledged awareness that if any of the information submitted was willfully false, Respondent would be subject to punishment and/or disciplinary sanction to include license suspension or revocation or the imposition of civil penalties as provided by law.

9. After January 1, 2012, the Board commenced a continuing education audit, asking a random sampling of its licensees to submit documentation to verify completion of required continuing education. Respondent was selected for inclusion within the continuing education audit.

10. On or about February 22, 2012, all licensees selected for inclusion in the audit were sent a notice, by regular mail, addressed to the address of record that the licensee maintained with the Board, advising of the need to supply copies of documentation maintained to verify continuing education hours claimed.

11. In response to the audit, Respondent supplied documentation verifying Respondent's completion of seven and a half (7.5) hours of approved continuing education, which did not

include completion of a seven hour USPAP Update Course, or its equivalent. Respondent maintained that she had planned to complete the required continuing education, but that she was unable to do so because of a death of a family member in September 2011.

CONCLUSIONS OF LAW

Respondent failed to demonstrate, to the satisfaction of the Board, completion of the required twenty-eight (28) hours of approved continuing education for the two year period between January 1, 2010 and December 31, 2011. While Respondent was able to verify seven and a half (7.5) hours of approved continuing education, Respondent failed to demonstrate completion of twenty and a half (20.5) hours of required continuing education. The Board therefore finds Respondent in violation of N.J.A.C. 13:40A-5.3, which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and 45:1-21(h).

Respondent failed to demonstrate, to the satisfaction of the Board, completion of a seven hour USPAP Update Course, or its equivalent, for the two year period between January 1, 2010 and December 31, 2011. The Board therefore finds Respondent in violation of N.J.A.C. 13:40A-5.4, which in turn subjects

Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending Respondent's license and imposing a one thousand two hundred and fifty dollar (\$1,250) civil penalty was entered on December 20, 2012. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent timely responded to the Provisional Order of Discipline by providing certificates of completion of thirty-three hours of continuing education completed in January 2013.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as

Respondent did not dispute the findings of fact or conclusions of law. Inasmuch as Respondent cured the twenty and a half (20.5) hour deficiency in continuing education for the January 1, 2010 - December 31, 2011 biennial period, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to complete the continuing education during the appropriate time frame warrants imposition of a one thousand two hundred and fifty dollar (\$1,250) civil penalty.

WHEREFORE, it is on this 20th day of February, 2013

ORDERED that:

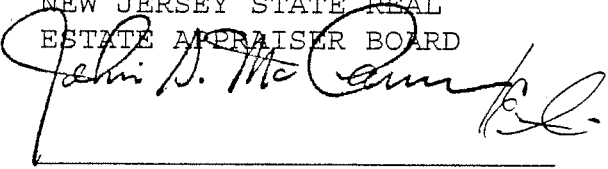
1. Respondent is hereby assessed a civil penalty in the amount of one thousand two hundred and fifty dollars (\$1,250). Said penalty is an aggregate penalty, which includes a penalty in the amount of seven hundred and fifty dollars (\$750) for failing to complete 20.5 hours of required continuing education, and five hundred dollars \$500 for failing to complete a seven hour USPAP Update Course, or its equivalent. The Board has received the cashier's check sent in by Respondent and shall process same as payment of the civil penalty.

2. Respondent may apply 12.5 hours of the 33 hours of continuing education completed in January 2013 towards

satisfaction of the requirements of the current biennial cycle of January 1, 2012 - December 31, 2013. Respondent shall complete another 15.5 hours of continuing education prior to December 31, 2013.

NEW JERSEY STATE REAL
ESTATE APPRAISER BOARD

By:



John A. McCann
Board President